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TRANSMITTAL FORM AUG 05 2002 PATENT & TRADEMARK OFFICE (to be used for all correspondence after initial filing)	Application Number	09/812,238	
	Filing Date	March 19, 2001	
	First Named Inventor	Charles A. NICOLETTE	
	Group Art Unit	1614	
	Examiner Name	Not Yet Assigned	
Total Number Of Pages In This Submission	8	Attorney Docket No.	GZ 2094.00

ENCLOSURES (check all that apply)

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SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual Name	Antoinette F. Konski Bingham McCutchen LLP (formerly McCutchen Doyle Brown & Enersen LLP) Three Embarcadero Center, Suite 1800 San Francisco, CA 94111-4067
Signature	<i>Antoinette F. Konski</i>
Date	Aug. 1, 2002

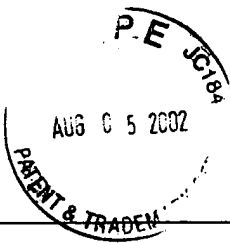
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Mary R. Zimmerman
Mary R. Zimmerman



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:

Charles A. NICOLETTE

Serial No.: 09/812,238

Filing Date: March 19, 2001

For: THERAPEUTIC ANTI-MELANOMA
COMPOUNDS

Examiner: Not Yet Assigned

Group Art Unit: 1614

Commissioner for Patents
Washington, D.C. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. § 1.56, the references listed on the attached forms PTO-1449a and PTO-1449b are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. The Examiner is requested to make these documents of record.

I. Timing of the Information Disclosure Statement

This Information Disclosure Statement is submitted:

- ☐ With the new patent application submitted herewith (37 C.F.R. § 1.97(a)).
- ☐ Within three months of the application filing date or before receipt of a first Office Action on the merits; accordingly, no fee or separate requirements are required.

- ☒ Before the mailing date of the first Office Action on the merits. In the event, however that an Office Action has crossed in the mail with this Information Disclosure Statement, the Commissioner is hereby authorized to charge Deposit Account No. 50-1189 for any fees required pursuant to 37 C.F.R. §§ 1.17(p) or 1.17(i)(1).
- ☐ After receipt of a first Office Action on the merits but before a final Office Action or Notice of Allowance. A fee is required. The Commissioner is hereby authorized to charge Deposit Account No. 50-1189 for any fees required pursuant to 37 C.F.R. §§ 1.17(p) or 1.17(i)(1).
- ☐ After receipt of a final Office Action or Notice of Allowance, but before payment of the issue fee. Accordingly, a Certification under 37 C.F.R. § 1.97(e) is provided herein. The Commissioner is hereby authorized to charge Deposit Account No. 50-1189 for any fees required pursuant to 37 C.F.R. §§ 1.17(p) or 1.17(i)(1).

The undersigned certifies that:

- ☐ Each item of information contained in the Information Disclosure Statement was first cited in any communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

II. Copies of the Cited Items:

- ☐ Copies of all of the items listed on the attached Form PTO-1449 are enclosed.
- ☐ Copies of only the following items listed on the attached Form PTO-1449 are enclosed: _____.
- ☒ Copies of those items which are marked with an asterisk (*) in the attached Forms PTO-1449a and 1449b are not supplied because they were previously cited by or submitted to the Patent Office in a prior Application

No. 09/249,272, filed February 11, 1999, now U.S. Patent No. 6,306,640 issued October 23, 2001, and relied upon in this application for an earlier filing date under 35 U.S.C § 120. See 37 C.F.R. § 1.98(d).

- ☐ Copies of those items which are marked with an asterisk (**) in the attached Form PTO-1499 were cited in a foreign examination report in a related case. A copy of the search report and the cited references not already of record in this application are attached hereto.

III. Concise Explanation of Relevance:

- ☒ A concise explanation of relevance of the items listed on Form PTO-1449 is not given.
- ☐ A concise explanation of relevance of [some of] the items listed on Form PTO-1449 is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references (copy attached).

IV. Conclusion:

Citation of the above documents shall not be construed as:

1. an admission that the documents are necessarily prior art with respect to the instant invention;
2. a representation that a search has been made, other than as described above; or
3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO 1449 with initials or other appropriate marks.

Applicant would take this opportunity to bring to the Office's attention related U.S. patent application serial numbers 09/920,480 and 09/862,260 filed August 1, 2001 and May 21, 2001, respectively.

The Commissioner is hereby authorized to charge Deposit Account No. 50-1189,
Attorney Billing Ref. 19442-7213 for any additional fees required in connection with the
filing of this Information Disclosure Statement.

Respectfully submitted,

Dated: Aug. 1, 2002

By: Antoinette F. Konski
Antoinette F. Konski
Registration No. 34,202

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Substitute for form 1449A-PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 1 of 1

Complete if Known

Application Number	09/812,238
Filing Date	March 19, 2000
First Named Inventor	Charles A NICOLETTE
Art Unit	1614
Examiner Name	Not Yet Assigned
Attorney Docket Number	GZ 2094.00

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number – Kind Code ² (if known)			
	1	US-5,695,937	12/9/97	Kinzler et al.	
	2	US-5,844,075	12/1/98	Kawakami et al.	
	3	US-5,869,445	2/9/99	Cheever, et al.	
	4	US-6,028,059	2/22/00	Curiel, et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ – Number ⁴ – Kind Code ⁵ (if known)				
	5	FR 2,757,169		Institute Nat'l de la Sante et de la Recherche Medical InsermEtabliss Public a Caract Scient et Tech		
	6	WO 97/35035		Genzyme Corp.		
	7	WO 99/02183		CTL Immunotherapies Corp.		
	8	WO 00/20457		Genzyme Corp.		

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¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Application Number	09/812,238
Filing Date	March 19, 2001
First Named Inventor	Charles A. NICOLETTE
Art Unit	1614
Examiner Name	Not Yet Assigned
Attorney Docket Number	GZ 2094.00

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Cite Examiner Initials*	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher city and/or country where published	T ²
1	ALEXANDER-MILLER, M. et al. "Selective expansion of high-or low-avidity cytotoxic T lymphocytes and efficacy for adoptive immunotherapy" <i>PNAS USA</i> (1996) 93(9) :4102-4107	
2	BLOOM, M.B. et al. "Identification of tyrosine-related protein 2 as a tumor rejection antigen for the melanoma" <i>J. Exp. Med.</i> (1997). 185(3) :45	
3	BORCHARDT, A. et al., "Small molecule-dependent genetic selection in stochastic nanodroplets as means of detecting protein-ligand interactions on a large scale" <i>Chem. Biol.</i> (1997) 4(12) :961-968	
4	BOUCHARD, B. et al., "Molecular characterization of a human tyrosinase-related-protein-2 cDNA. Patterns of expression in melanocytic cells" <i>Eur. J. Biochem</i> (1994). 219(1-2) :127-134	
5	COLACO, C.A.L.S. "Why are dendritic cells central to cancer immunotherapy?" <i>Mol. Med.</i> (January 1999) Today :14-17	
6	FISK, B. et al. "Changes in an HER-2 peptide upregulating HLA-A2 expression affect both conformational epitopes and CTL recognition: Implications for Optimization of antigen presentation and tumor-specific CTL induction" <i>Immunol.</i> (1996) 18(4) :197-209	
7	FORBES, J.F. "The incidence of breast cancer: The global burden, public health considerations" <i>Seminars in Oncology</i> (1997) 24(1) , Suppl. 1. pp. S1-20-S1-35	
8	GISH, W. and D.J. STATES "Identification of protein coding regions by database similarity search" <i>Nature Genetics</i> (1993) 3 :266-273	
9	GREENLEE, R.T. et al. "Cancer Statistics, 2001" . <i>CA Cancer J Clin</i> (2001) 51(1) :15-36	
10	KAWAKAMI, Y. et al., "Identification of a human melanoma antigen recognized by tumor-infiltrating lymphocytes associated with <i>in vivo</i> tumor rejection" <i>PNAS USA</i> (1994) 91 :6458-6462	
11	KUHNS, J.J. et al. "Poor Binding of a HER-2/neu Eptope (GP2) to HLA-A2.1 is due to a lack of interactions with the center of the peptide" <i>J. Biol. Chem.</i> (1999) 274 :36422-36427	
12	LINDAUER, M. et al., "The molecular basis of cancer immunotherapy by cytotoxic T lymphocytes" <i>J. Mol. Med.</i> (1998) 76 :32-47	
13	LOCKHART, D.J. and E.A. WINZELER "Genomics, gene expression and DNA arrays" <i>Nature</i> (2000) 405 :827-836	
14	RIES, L.A.G. et al. "The annual report to the nation on the status of cancer, 1973-1997, with a special section on colorectal cancer" <i>Cancer</i> (2000) 88(10) :2398-2424	
15	RONGEUN, Y. et al. "Identification of new HER2/neu-derived peptide epitopes that can elicit specific CTL against autologous and allogeneic carcinomas and melanomas" <i>J. Immunol.</i> (1999) 163 :1037-1044	
16	ROSENBERG, S.A. et al., "Immunologic and therapeutic evaluation of a synthetic peptide vaccine for the treatment of patients with metastatic melanoma" <i>Nature Med.</i> (1998) 4(3) :321-327	
17	SALGALLER, M.L. et al., "Recognition of multiple epitopes in the human melanoma antigen gp100 by peripheral blood lymphocytes stimulated <i>in vitro</i> with synthetic peptides" <i>Cancer Res.</i> (1995) 55 :4972-4979	
18	SCHENA, M. et al., "Parallel human genome analysis: Microarray-based expression monitoring of 1000 genes" <i>PNAS USA</i> (1996) 93 :10614-10619	
19	SHEPHERD, N.S. et al., "Preparation and screening of an arrayed human genomic library generated with the P1 cloning system" <i>PNAS USA</i> (1994) 91 :2629-2633	
20	SHIKE, M. et al. "Primary prevention of colorectal cancer" <i>Bulletin of the World Health Organization</i> (1990) 68(3) :377-385	
21	SRINIVAS, P.R. et al. "Proteomics in Early Detection of Cancer" <i>Clin. Chem.</i> (2001) 47(10) :1901-1911	

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OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

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TAM, J.P. "Synthetic peptide vaccine design: Synthesis and properties of a high-density multiple antigenic peptide system" *PNAS US* (1998)A 85:5409-5413

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WEI, W-Z. et al. "Protection against mammary tumor growth by vaccination with full-length, modified human ErbB-2 DNA" *Int'l J. Cancer* (1999) 81:748-754

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ZHAI, Y. et al. "Cloning and characterization of the genes encoding the murine homologues of the human melanoma antigens MART1 and gp100" *J. Immunol* (1997). 20(1):15-25

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